

JUL 19 2005

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JOHN F. CORCORAN, CLERK  
BY: *[Signature]*  
DEPUTY CLERK

JERITH T. SCOTT,  
Plaintiff,

v.

DAVID BRAXTON, ET AL.,  
Defendants.

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Civil Action No. 7:05-CV-00310

MEMORANDUM OPINION

By: Hon. Glen E. Conrad  
United States District Judge

Plaintiff Jerith T. Scott, a Virginia inmate proceeding pro se, brought a civil rights action pursuant to 42 U.S.C. § 1983, with jurisdiction vested under 28 U.S.C. § 1343. On June 23, 2005, this court directed Scott to sign and return a consent form to withhold the \$250.00 filing within twenty (20) days or risk dismissal of this action. Scott has not complied with this order. Therefore, this court dismisses this complaint without prejudice for failure to comply with a court order. If Scott wishes to pursue this matter he may refile the complaint. An appropriate order will be entered this day.

ENTER: This 19<sup>th</sup> day of July, 2005.

*[Signature]*  
UNITED STATES DISTRICT JUDGE